

Work Session
August 19, 2003

The Montgomery County Board of Commissioners met in a work session on Tuesday, August 19, 2003 at 4:00 in the Commissioners Conference Room. A full board was present. *Chairman Maness called the meeting to order and the following was heard:*

Discussion of Cheerleading Funding Request

Angie Freeman and Ofelia Thompson were present to request funding for cheerleading. County Manager Lee Matthews explained that a letter was received requesting \$500.00. He explained that in the past the money that has been given to recreational leagues has been for insurance and umpires. Mrs. Thompson said that the parents sign a waiver saying that they are responsible if injury occurs, not the football league. Chairman Maness asked who do you cheer for? Mrs. Freeman said all of the Troy teams from flag football to tackle 2 football. Commissioner Corbett asked if they have to pay to participate in cheerleading? Mrs. Freeman said \$10. Commissioner Corbett said that is good his granddaughter has to pay \$100. Mrs. Freeman said it can get expensive.

Commissioner Knight asked if this is only Troy? Mrs. Thompson said yes, the other towns have squads as well.

Chairman Maness told Mrs. Freeman and Mrs. Thompson that the board will discuss this issue and Lee Matthews will contact you. He said we will find out what the feeling of the board is.

Cable Franchise

Mr. Dave Harris with the Piedmont Triad Council of Governments was present along with Randolph Telephone representative Steve Cox. Chairman Maness said Mr. Harris was here several weeks ago and a survey was conducted after he was here. Mr. Harris said all of those surveyed responded positively to their service.

There was a discussion of the rates and Mr. Cox said it compares with the rates of Direct TV.

Commissioner Corbett said he called some folks and he received no complaints.

Chairman Maness said I am not against the franchise, but what if the board doesn't agree to the franchise; will you go ahead and service this area anyway? Mr. Cox said yes, the county just will not get the 5% from the franchise agreement.

Commissioner Corbett asked if there were plans for expansion? Mr. Cox said not at this time.

It was agreed upon to carry this forward to the regular session.

911 Telephone Charges

County Manager Lee Matthews explained that included in the agenda packet was a copy of the General Statutes governing the use of 911 funds. He said also included in the packet is a copy of the county ordinance. He said the board can change the rate one time a year and it will be effective within 120 days. He said this is the lines inside a house, not wireless.

Commissioner Corbett asked if the fund still has \$420,000 plus in it? Mr. Matthews said yes, however, you have to bear in mind that we have budgeted \$50,000 to offset the 911 Budget.

Chairman Maness asked him to repeat it. Mr. Matthews explained that in the current budget \$50,000 was transferred to the General Fund from the 911 Addressing Budget.

Commissioner Morris asked what would we need this money for in the future. Ron Adams, 911 Coordinator explained that we are on the tail-end of two leases. He said these leases will drop off around January. These leases represent \$6,700/month. Chairman Maness said less we have to pay? Mr. Adams said yes, however we do have a new lease agreement in the amount of \$4,950 which will save us. He continued to say that according to Finance Officer Cathy Baxter we will need a minimum of 63% of the annual income, which will maintain us at status quo. Mr. Adams said that doesn't take into consideration upgrades. He said I don't know what percent that would represent. He said we wouldn't want to cut close to the 63% because we would not want to get to the point we have no money.

Mr. Adams gave the board documents from Motorola that they no longer manufacture or repaired equipment. He said new software will plat latitude and longitude of incoming calls. Chairman Maness asked didn't we just get new software? Mr. Adams said yes, the mapping program and I will have to contact the wireless companies to finalize.

Commissioner Morris asked if we are going to have to buy more equipment? Mr. Adams said yes and it will not be without cost.

Commissioner Corbett asked if Motorola has competition? Mr. Adams said yes, and I would rather go with another vendor. Commissioner Corbett agrees. Mr. Adams said we have had problems with Motorola and would like to look at other vendors when appropriate. Mr. Matthews said this will probably be during next year's budget. Mr. Adams said we have the option to lease or buy, however, remember that 63% doesn't reflect any updates.

Chairman Maness asked if debt service can be paid by the 911 Fund? *Mr. Adams read from the following general statute:*

§ 62A-8. Payments from Fund.

- (a) Money from the Emergency Telephone System Fund shall be used only to pay for:
 - (1) The lease, purchase, or maintenance of emergency telephone equipment, including necessary computer hardware, software and database provisioning, addressing, and nonrecurring costs of establishing a 911 system, and
 - (2) The rates associated with the service supplier's 911 service and other service supplier recurring charges.
- (b) The following expenses are not eligible for payment from the Fund: the lease or purchase of real estate, cosmetic remodeling of emergency dispatch centers, hiring, training, and compensating dispatchers, and the purchase of mobile communications vehicles, ambulances, fire engines, or other emergency vehicles.
- (c) A local government may contract with a service supplier for any term negotiated by the service supplier and the local government and may make payments from the Emergency Telephone System Fund to provide any payments required by the contract. (1989, c. 587.)

Commissioner Corbett said he would like to cut to 80 cents.

Commissioner Knight asked what happens after the lease ends? Mr. Adams said the Motorola is ours. The other lease is to return or offer to buy if we want to pay their price. He said we are in negotiations now for a price. It is not cutting edge equipment, but it is usable. Commissioner Knight asked if that isn't figured in? Mr. Adams said the equipment can go. The new CAD

equipment will replace it; however this equipment could be used in other county departments. They will run Microsoft Word and Excel.

Commissioner Morris asked about 90 cent? Mr. Adams said that would be a good window. Mr. Adams said he feels that somewhere in the 90 cent range would be good, he said I understand that it is the board's final decision.

Commissioner Bostic asked how much was collected in the last 13 to 14 years. Mr. Adams said I am not sure. Commissioner Bostic said that is not much of expense with the type of money we have sitting in that fund. He said we have 120 days to change.

Commissioner Knight said we can only change it one time a year.

Commissioner Bostic said I don't believe in harboring people's money. If we needed the money, it would be different. If it was used prudently it will be fine.

Commissioner Knight asked Mr. Adams what his recommendation is? Mr. Adams said 90 cent is comfortable, 80 cent is doable. He said there is no way to predict what will occur.

Commissioner Bostic suggested dropping the rate to 60. Chairman Maness said we can't do that.

Commissioner Corbett asked if there is a church in a neighborhood that doesn't have a phone, how hard is it to locate if there is an emergency? Mr. Adams explained that it is not hard. He explained how the 911 addressing database works, it is not only structures with phones that are addressed.

Chairman Maness asked if a road is going to be closed does the Department of Transportation contact you. Mr. Adams explained a recent situation where DOT had to close Lovejoy Road and 911 didn't know about it. Chairman Maness asked Mr. Matthews to write a letter to Harold Matthews with the Department of Transportation requesting that 911 be contacted when roads are closed, etc. He also asked the letter to be carbon copied to Sheriff Jordan.

The board agreed to carry this issue forward to the regular session.

Exotic Animal Ordinance

Mr. Matthews explained that included in the agenda packets are copies of Exotic Animal Ordinances from several other counties. He asked the board how he wanted staff to proceed with this?

Commissioner Corbett said he recommends the one from Chatham County.

Chairman Maness said during this process, we will have to hold public hearings, correct? Mr. Matthews said yes.

Commissioner Corbett said according to his information, we are in no position to handle these types of animals.

Linda Beaulieu from the Montgomery Herald asked how will you handle existing cases? Chairman Maness said this is all part of the process.

Chairman Maness asked Commissioner Corbett what kind of problems are there (with the Buffalo Ranch in Uwharrie)? Mr. Corbett said it is next to the community building, the church graveyard, and the cemetery. He also said there were complaints about the odor.

Mrs. Beaulieu said when she did a story on the Ranch there was no odor? Commissioner Corbett said did he know you were coming? Mrs. Beaulieu said yes.

Mrs. Beaulieu said this ordinance wouldn't cover some of the animals (i.e. wolves, bears).

Commissioner Corbett said think about it as if you lived there.

Commissioner Bostic asked if we could make laws that can supercede the US Government? Mr. Matthews said yes in some cases, but he will check into this further.

Commissioner Knight said we also need to look at the expense the ordinance will bring. He said we will need to train and equip the Sheriff's Department and there will be other expenses as well.

Commissioner Corbett said there is also the issue of liability.

Commissioner Morris said the owners have to have insurance in case an animal gets loose.

Chairman Maness directed Commissioner Corbett and Mr. Matthews to get together and check on it.

Architects Draft for Proposals

Mr. Matthews explained that enclosed in the agenda packets was a copy of the proposed "Request for Qualifications for Detention Center Architectural Services". He asked the board if we want to go ahead and select a site or let architect select it? He also asked if the board wanted the architect to assist with financing?

Commissioner Corbett said he would like us to select the site along with the Sheriff.

Chairman Maness said he feels the courthouse renovations and the jail projects should be done together.

Commissioner Morris said she feels the Jail is the top priority.

Chairman Maness asked the Sheriff where he prefers the jail to be? The Sheriff said wherever will be fine.

Commissioner Morris said we also have a parking problem we need to address.

Chairman Maness said we can't build the jail without money.

Mr. Matthews said he doesn't think a bond issue for the jail will pass. He also mentioned financing a parking deck along with the jail.

Commissioner Knight said it looks like it should be close. He said we could put it at the Ag Center.

Chairman Maness said we need to think about it long-term.

Commissioner Knight said that is what I am thinking; we need to keep it here, close as possible.

The board discussed the Ritchie's Auto Parts property. Commissioner Corbett said it would be too small. The Sheriff agreed.

Chairman Maness asked the Sheriff if it would bother him to have it at the Ag Center? The Sheriff said no, my concern is lack of a jail.

Chairman Maness asked about the condition of the Sheriff's Office. The Sheriff said it is good other than the air.

The board discussed possibly moving the Sheriff's Office close to the jail and using their current building for other office space.

Commissioner Corbett asked if we can select the site. Chairman Maness said yes, but we need funding first.

The board discussed its funding options other than a bond issue.

Chairman Maness asked Mr. Matthews to check on debts that will be dropping off and interest rates.

Commissioner Corbett asked if any business people would be willing to purchase the jail.

Commissioner Knight to Mr. Matthews: You have never seen a bond referendum pass. Mr. Matthews said he wasn't saying has never seen a bond pass, but haven't in the last several years. Mr. Knight asked why? Mr. Matthews said people just do not want to build a jail. Mr. Matthews said you would really have to sell this.

Chairman Maness said revalve is coming up next year. He said we need to focus on the jail for now. The board agreed.

Commissioner Knight said that we need to move the jail and then work on the courthouse.

Chairman Maness suggested that Mr. Matthews contact Mr. Bobby Morris at First Bank. He said we need to check on funding first.

Commissioner Knight asked if the board could discuss this by next month because it will take a year or more before they start. He said we have been talking about this for a while.

Chairman Maness said I agree. The top priority is to find funding. We need to find out if we can get any help from the Federal or State.

Commissioner Knight asked the Sheriff if he has noticed an increase in the jail population. The Sheriff said that we have been keeping sentenced state inmates.

Commissioner Knight asked if there is an increase in crime. The Sheriff said yes, due to drugs.

Soil and Water

Mr. Matthews said the next item is minor but it needs to be taken care of.

Currently the Soil and Water Contract reads:

Department Head

The parties jointly agree that the District Conservationist will serve as the department head. The Department Head will represent the District and its employees at county meetings, conferences, and appropriate functions. The Administrative Assistant and the District Technician will serve in the absence of the District Conservationist and report back to him/her.

Proposed Change reads:

Department Head

The parties jointly agree that the District Board of Supervisors with concurrence of the County Manager/Board of County Commissioners will appoint the District Technician as the department head. The department head will represent the district and its employees at county meetings, conferences, and appropriate functions. Additionally, any Montgomery SWCD supervisor may represent the district and its employees in this capacity when so approved by the board.

The board agreed to carry this issue forward.

County Manager's Report

Mr. Matthews presented the following report:

Draft of Letter in Reference to Streamlining Sales Tax:

Mr. Matthews explained that there is a draft letter to our Congressional delegation requesting support for the "Streamlined Sale and Use Tax Act." The County Commissioners Association is urging each county to support this Act. I have modeled the attached letter after the Associations letter. This is another step in the process of counties being able to receive sales tax revenue from Internet and other "remote" sale of goods.

The board agreed to have Mr. Matthews send this letter.

Resolution from Caldwell County

Enclosed is a Resolution from Caldwell County asking for changes in the U.S. trade policies. Caldwell County has asked other counties to adopt similar resolutions.

The board was in favor of this.

Twin Harbor and other Areas with County Water

Mr. Matthews brought up the problem the water department is having with Twin Harbor and other areas with county water. She said there are a lot of folks not paying the \$10 minimum. He said we are having a problem with collections.

Mr. Matthews said there is a G.S. that allows us to put a levy on personal property. He said Mr. Hollers is supposed to check on this. Clerk Laura Morton said that if we could get the legislature to add garnishment to the statute that would help us.

Mr. Matthews discussed minimum fees.

Chairman Maness said there are those that are paying the \$10 as they agreed. Mr. Maness said there are customers in one water district that owe, and signed up in the other water district and owe there as well. He said however there are other situations where there are no fire hydrants.

Commissioner Bostic gave the history of when water lines were installed into Brutonville. He explained that he had taps put on all of his lots. Mr. Bostic asked the board if he should have to pay?

Chairman Maness said I agree if they are not going to use it, they shouldn't have to pay.

Mr. Matthews suggested that we do a physical disconnection. He said there is some cost to this. He asked if the board wanted to charge?

Commissioner Knight said if the person doesn't want the tap and they want it removed, we should charge them.

Chairman Maness said we should make them pay the back payments. Commissioner Morris said the back payments and the expense of disconnecting the tap.

Commissioner Knight said that only seems right. He said there are people paying and it is not fair to them.

The board briefly talked about the fire hydrant issue. Chairman Maness said fire hydrants were the selling point of the water lines.

Chairman Maness said this needs to be resolved. He directed Mr. Matthews to bring back information and make recommendations. He also requested to amount of money that is owed. He also asked how many 4" water lines there are.

Commissioner Bostic said Black Ankle is an area with no hydrants. Chairman Maness said this is the same situation. Commissioner Morris said we should not run water lines if there are no fire hydrants.

Next Meeting

Mr. Matthews said the next meeting is scheduled for the day after Labor Day. Should we move the meeting back one week or should we combine the two meetings into one meeting on September 16?

The board agreed to have one meeting on September 16.

Homeland Security

Mr. Matthews explained that the county has received \$18,000 to do our Emergency Operations Plan. He said we are looking into contracting with PTCOG to do our Hazard Mitigation Plan. Chairman Maness asked if it would cost us anything. Mr. Matthews said no. The board has no problem with it.

County Transportation Plan

Mr. Matthews announce the meeting regarding the county transportation plan on Thursday, August 28 at 1:00 p.m. in the board room at Montgomery Community College.

Hazard Mitigation Public Meeting

Mr. Matthews announced the Public Meeting regarding Hazard Mitigation on Thursday, August 28 at 6:30 p.m. at Montgomery Community College.

Joint Meeting with the Planning Board Meeting

Chairman Maness announced the upcoming joint meeting with the Planning Board. He asked Mr. Matthews and Mrs. Morton to compile a list of issues that have frequently been discussed. He asked them to get a copy to all board members including the Planning Board members.

Reece Dennis Water Tap

Commissioner Bostic asked if Mr. Reece Dennis problem had been taken care of? Mr. Matthews said yes, the water line was extended so he can hook on now.

Clinton Dyer – Reference Water

Chairman Maness said the water line in front of Mr. Clinton Dyer's house is sunk in.

Landfill

Commissioner Knight said at one time we were going to discuss the landfill contract. Chairman Maness said this issue will probably come back up soon.

Department Heads

Commissioner Morris directed Mr. Matthews to reemphasize with the department heads there will be no budget amendments during the year.

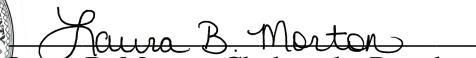
Items Carried Forward to the Regular Session

- Cable Franchise
- 911 Telephone Charges
- Soil and Water Operational Agreement

There being no further business, the meeting was adjourned.


William D. Maness, Chairman




Laura B. Morton, Clerk to the Board